

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1443 - SB 1476**

January 19, 2016

**SUMMARY OF BILL:** Reduces, from 60 to 14 days, the time period for which any person engaged in the business of motor vehicle towing or storage may charge the owner or lienholder of a motor vehicle a storage fee without consent of the owner or lienholder and without the owner or lienholder being notified, by registered mail return receipt requested, that the business owner intends to charge additional fees for any additional days.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Currently, a towing or storage business can charge a storage fee for 60 days prior to notifying the owner or lienholder of a motor vehicle that additional storage fees will be imposed. Such notification is currently required to be sent 14 days prior to imposing additional storage fees.
- This legislation affects the relationship between two private parties, primarily the owner of a motor vehicle and a storage business.
- Local governments do not meet the definition of "person" as defined in Tenn. Code Ann. § 55-23-102; therefore, this legislation would not apply to storage or impound lots operated by local governments.
- According to the Department of Safety and Homeland Security (DOSHS), the Tennessee Highway Patrol (THP) would need to provide information regarding this law to troopers through a legislative update or during regularly scheduled annual in-service training.
- Also, THP District Wrecker Lieutenants would need to ensure that towing companies operating in the THP rotating schedule are aware of this law. All of these duties can be accomplished within the existing resources of the Department utilizing existing staff.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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/jdb